

NEW SALES AND USE TAX EXEMPTIONS ENACTED DURING THE 2007 GENERAL SESSION

This table is intended to assist the Utah Tax Review Commission (TRC) in fulfilling the requirements of Utah Code Ann. § 59-12-104.5 to review the sales and use tax exemptions. The table includes only sales and use tax exemptions enacted during the 2007 General Session that are entirely new, and does not include exemptions that were modified, even if those modifications are substantial.

Bill Number /Sponsor	Exemption Language	Effective Date	TRC Action
H.B. 34 (R. Lockhart)	<p>(66) (a) purchases of property if:</p> <ul style="list-style-type: none"> (i) the property is: <ul style="list-style-type: none"> (A) purchased outside of this state; (B) brought into this state at any time after the purchase described in Subsection (66)(a)(i)(A); and (C) used in conducting business in this state; and (ii) for: <ul style="list-style-type: none"> (A) property other than the property described in Subsection (66)(a)(ii)(B), the first use of the property for a purpose for which the property is designed occurs outside of this state; or (B) a vehicle other than a vehicle sold to an authorized carrier, the vehicle is registered outside of this state; (b) the exemption provided for in Subsection (66)(a) does not apply to: <ul style="list-style-type: none"> (i) a lease or rental of property; or (ii) a sale of a vehicle exempt under Subsection (33); and (c) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, for purposes of Subsection (66)(a), the commission may by rule define what constitutes the following: <ul style="list-style-type: none"> (i) conducting business in this state if that phrase has the same meaning in this Subsection (66) as in Subsection (24); (ii) the first use of property if that phrase has the same meaning in this Subsection (66) as in Subsection (24); or (iii) a purpose for which property is designed if that phrase has the same meaning in this Subsection (66) as in Subsection (24); 	7/1/2007	<p>TRC recommended legislation on this exemption. The Revenue and Taxation Interim Committee gave the legislation a favorable recommendation. During the legislative session, the bill was substituted at the request of the Utah State Tax Commission to make the exemptions addressed in the legislation more parallel.</p>
S.B. 96 (S. Killpack)	<p>(67) sales of disposable home medical equipment or supplies if:</p> <ul style="list-style-type: none"> (a) a person presents a prescription for the disposable home medical equipment or supplies; (b) the disposable home medical equipment or supplies are used exclusively by the person to whom the prescription described in Subsection (67)(a) is issued; and (c) the disposable home medical equipment and supplies are listed as eligible for payment under: <ul style="list-style-type: none"> (i) Title XVIII, federal Social Security Act; or (ii) the state plan for medical assistance under Title XIX, federal Social Security Act; 	7/1/07	None
H.B. 65 (B. Dee)	<p>(68) sales to a public transit district under Title 17B, Chapter 2a, Part 8, Public Transit District Act, or to a subcontractor of a public transit district, including sales of construction materials that are to be installed or converted to real property owned by the public transit district</p>	4/30/07	None

